UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

DIANA J. EARLY,   Case No.: 3:14-cv-270

          Plaintiff,

  vs.

COMMISSIONER   Magistrate Judge Michael J. Newman
OF SOCIAL SECURITY,   (Consent Case)

          Defendant.

ORDER AND ENTRY: (1) GRANTING THE JOINT, UNOPPOSED MOTION FOR REMAND (DOC. 15); (2) REVERSING THE ALJ'S NON-DISABILITY FINDING; (3) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE FOURTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER ADMINISTRATIVE PROCEEDINGS; (4) DIRECTING THE CLERK TO ENTER JUDGMENT IN FAVOR OF PLAINTIFF; AND (5) TERMINATING THIS CASE ON THE COURT'S DOCKET

This Social Security disability benefits appeal is presently before the undersigned for disposition based upon the parties' consent. Doc. 5. The parties jointly move for an Order remanding this case for further administrative proceedings pursuant to the Fourth Sentence of 42 U.S.C. § 405(g), and for the entry of judgment pursuant to Fed. R. Civ. P. 58. Doc. 15. The parties jointly request that, upon remand, the Appeals Council direct the Administrative Law Judge ("ALJ") to: offer Plaintiff the opportunity for a hearing; reassess Plaintiff's residual functional capacity, including a reevaluation of opinion evidence and Plaintiff's credibility; order a consultative examination of Plaintiff or obtain updated opinions from state agency reviewers; and reach a *de novo* decision. *Id.*

For good cause shown, and because the requirements of a Sentence Four remand have been satisfied, **IT IS ORDERED THAT:** (1) the parties' joint, unopposed motion for a Sentence Four remand (doc. 15) is **GRANTED**; (2) the ALJ's non-disability finding is **REVERSED**; (3)

this case is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g)

for further proceedings; and (4) this case is **TERMINATED** upon the Court's docket. The Clerk

is **ORDERED** to enter judgment in favor of Plaintiff.

      IT IS SO ORDERED.

Date: <u>June 25, 2015</u>   *s/ Michael J. Newman*
                                                      Michael J. Newman
                                                      United States Magistrate Judge